

Appln. No. 09/691,968  
Amendment dated August 19, 2005  
Reply to Final Office Action of May 19, 2005  
Docket No. 6169-137

IBM Docket No. BOC9-1999-0079

### **REMARKS/ARGUMENTS**

These remarks are made in response to the final Office Action of May 19, 2005 (Office Action). As this response is timely filed within the three-month shortened statutory period, no fee is believed due.

In paragraph 9 of the Office Action, the Examiner objected to the amendment filed January 12, 2005, under 35 U.S.C. § 132(a) asserting that the amendment introduced new matter into the disclosure. The material objected to was the recited limitations in Claim 12 that were added by amendment. In paragraphs 10 and 11, Claim 12 was rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. In response, Claim 12 is hereby cancelled.

In paragraphs 12 and 13 of the Office Action, Claims 1-6, 10-20, and 24-33 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 5,920,725 to Ma *et al.* (hereinafter Ma). In paragraphs 14-15 of the Office Action, claims 7 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ma in view of Andrew S. Tanenbaum, "Computer Networks," 1996, Prentice Hall PTR, third ed. (Tanenbaum). In paragraph 16 of the Office Action, claims 8, 9, 22, and 23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ma in view of Applicants' Admitted Prior Art.

Independent Claims 1, 10, 15, 24, and 28 have each been amended to further emphasize certain features of Applicants' invention. As discussed herein, the amendments are supported throughout the specification. No new matter has been added by virtue of the amendments.

#### **I. APPLICANTS' INVENTION**

Applicants' invention is directed to distributing application updates from a server to different client computers. One embodiment of the invention is a method for

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distributing real-time updates to active application components in an active client position. The method includes establishing a first communications connection between a platform managing the active application components and a configuration client. Both the platform and the configuration client are disposed in a client position. (Specification, p. 10, lines 8-16; see also FIG. 2.) The method further includes establishing a second communications connection between the configuration client and the configuration server, with the configuration client submitting at least one query to the configuration server via the second communications channel. (Specification, p. 12, lines 2-10.)

In response, the configuration client receives updates corresponding to at least one particular application component. The method also includes notifying the platform when updates are available. The method further includes, responsive to said notification, terminating execution of said particular active application components, delivering each said update over said first communications connection to said platform, applying each update to at least one corresponding application component, and re-executing each said updated application component.

Another embodiment of the invention is a system for updating active client positions. The system includes a platform for managing active application components, a configuration server for storing updates, and a configuration client for receiving client-specific updates from the configuration server and communicating the received updates to the platform. The configuration client and the platform are disposed in a client position separate from the configuration client. (Specification, p. 10, lines 10-15; see also FIG. 2.) The platform receives updates from the configuration client in response to one or more queries from the configuration client to the configuration server. (Specification, p. 12, lines 2-10.) As part of the system updating, selected active application components are terminated before the active application components self-

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terminate, and the received updates are applied to the terminated application components. Lastly, the updated application components are uploaded.

## **II. The Invention Defines Over The Prior Art**

As already noted, it was maintained in the Office Action that Claims 1-6, 10-20, and 24-33 were anticipated by Ma. Applicants respectfully submit, however, that there are important distinctions between Applicants' invention and Ma.

Ma is directed to modifying a distributed client-server application while the application is running. (Col. 4, lines 36-41; Abstract.) With Ma, the application is modified when a user requests the creation or modification of object class definitions in the application, which is stored on a server (i.e., "server machine"). Software, termed a "meta server," running on the server machine modifies source code in response to the user request. (Col. 6, lines 31-39.) When an object class is modified, an object adaptor receives a list of the modified object classes and sends a notification to an object cache. (Col. 8, lines 11-19.) Change notifications are sent from the server machine by the object adaptor to object caches both on the server machine and on its clients. (Col. 8, lines 20-24.) The object adaptor resides on the server in Ma. (FIG. 5.)

Ma fails to teach, either expressly or inherently, the establishment of a first communications connection between a platform managing active application components and a configuration client both disposed in client position, as recited in amended Claims 1, 10, and 15. At page 6 of the Office Action, which cites FIG. 5 of Ma, it is implied that the object adaptor is equivalent to the platform recited in the claims. A comparison of Applicants' FIG. 2 and Ma's FIG. 5, however, reveals that there is no such equivalence. In Applicants' FIG. 2 and as recited in amended Claims 1, 10, and 15, the platform 203 is

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part of a single client position 207 that also includes a configuration client 202 as well as at least one application component 205. (See also Specification, p.10, lines 11-14.) By contrast, Ma's FIG. 2 shows that Ma's object adaptor 80 resides on the server.

Thus, Applicants' platform is located at the client position 207 and is associated with the configuration client 202 whose at least one application 205 is updated. This is precisely the opposite of Ma's object adaptor 80, which resides on the server 90 where the software code for modifying object classes resides. Ma's object adaptor 80 is not equivalent nor even comparable to Applicants' platform 203.

More fundamentally, the respective functions of Ma's object adaptor and Applicants' platform are entirely distinct. The platform recited in amended independent Claims 1, 10, and 15 manages active application components. A first connection is established between the platform and a configuration client, both the platform and client being disposed in a client position. In direct contrast, Ma's object adaptor 80 establishes a connection between a server and client, not two distinct client entities. Ma's object adaptor does not manage entities on the client side, as with Applicants' platform. Rather, Ma's object adaptor sends notices of server-side modifications to object classes, the object adaptor sending the notices to the clients from the server. (Col. 8, lines 20-24.) Therefore, Ma's object adaptor is not comparable to Applicants' platform either in terms of its positioning or function. Accordingly, Ma fails to expressly or inherently teach either a platform for managing active application components or the establishment of a first communications connection between the platform and a configuration client, as recited in Claims 1, 10, and 15, as amended.

Among the other features of Applicants' invention not taught by Ma is the establishment of a second communications connection between a configuration client and a configuration server over which the configuration client submits at least one query to

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the configuration server. Indeed, Ma does not expressly or inherently teach any submission of a query from a configuration client to a configuration server. As already noted, Ma modifies object classes in a distributed application in response to a user request. Once the modification is effected with Ma, however, it is the responsibility of the server – working through the sever-located object adaptor, already described – to send a "notification" from the server to respective clients. (Col. 8, lines 11-24.) This is the opposite of Applicants' invention. As recited in each of independent Claims 1, 10, 15, 24, 28, and 32, it is the configuration client that initiates a query; the configuration client does not rely on nor wait for a notification from the configuration server.

It follows that Ma further fails to teach yet another aspect of Applicants' invention. Specifically, Ma fails to expressly or inherently teach the receiving of updates to active application components from a communicatively linked configuration client in response to at least one query from the active client position, as recited in each of independent Claims 1, 10, 15, 24, 28, and 32. Ma inevitably fails to teach such a feature because Ma provides no mechanism by which the server makes any query. Accordingly, Ma can not possibly teach responding to such a query with updates to active application components since no such query is made. Thus, Ma further fails to teach this feature recited in the independent Claims 1, 10, 15, 24, 28, and 32.

Applicants respectfully submit that, whereas Ma fails to teach each and every feature recited in the independent Claims 1, 10, 15, 24, 28, and 32, the prior art fails to anticipate the claims. Applicants further respectfully assert that since each of the remaining dependent claims depends from one of the claims while reciting additional features, the prior art likewise fails to anticipate any of the remaining claims.

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**CONCLUSION**

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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